

643
A7 K58
opy 1

TREATY OF VERSAILLES

SPEECH

OF

HON. PHILANDER CHASE KNOX

OF PENNSYLVANIA

DELIVERED IN THE

SENATE OF THE UNITED STATES

FRIDAY, AUGUST 29, 1919



**WASHINGTON
1919**

134768—19802



48 65 55

AUG 28 1942

D 643
.A7K58

S P E E C H
OF
HON. PHILANDER CHASE KNOX.

TREATY OF VERSAILLES.

Mr. KNOX. Mr. President, I wish at the outset to make my own position perfectly clear, that reason or excuse for misunderstanding or misinterpretation may not exist. No one more abhors Germany's lawlessness, her cruelty, her gross inhumanity in the conduct of this war than do I. No one is more determined than I to make her pay the full penalty for the great wrongs she has inflicted on civilization and on the world whose equipoise she has by her iniquities well-nigh destroyed. It must not seem to be profitable for anyone to violate the great eternal laws of right, and we must vindicate them now against Germany if we are to save ourselves from chaos. The observations I shall make are therefore dictated by no maudlin sympathy for Germany, the felon who must suffer the penalty incident to his crime.

But I am vitally concerned in the peace of this world, and peace we must have if it be attainable. But, Mr. President, I am convinced after the most painstaking consideration that I can give, that this treaty does not spell peace but war—war more woeful and devastating than the one we have but now closed. The instrument before us is not the treaty but the truce of Versailles. It is for this body—the coordinate treaty-making power of this great neutral Nation of ours—to make of the document a peace treaty if possible, or if that be impossible, then we must put this Nation in such relation to the treaty and to the powers of the world that our voice may hereafter as heretofore be always raised for peace.

It is to be regretted that the whole matter has been so unfortunately managed, that there has been so much of needlessness

secrecy, so many times mere partial disclosure when the whole truth could and should have been told, so much of assumed mystery in the whole affair, that it has become impossible for any of us not in the confidences to tell when we have arrived at the whole of any matter. It is no fault of mine if the facts themselves shall speak an impeachment of the wisdom, the purpose, or the result of the negotiations.

Fortunately it is no longer necessary to insist upon the high importance of this treaty nor the fact that it marks the point in our history where we turn from our old course of proved happiness, prosperity, and safety to a new one, for us yet untried, of alliances, balance of power, and coalition with countries and peoples whose interests, aspirations, and ideals are foreign to our own, because the people are waking to this as the true issue. Little by little they are bringing a divulgence of the facts connected with the treaty and they may now hope finally to see the whole of the great gaunt tragedy into which those whom they had charged with protecting them were about to betray them.

But as this treaty itself, as finally placed before us, is so intricate and all-embracing in its conception, is so ponderous and voluminous in its execution, is so microscopic in detail, and, because of these things, so inaccessible to the people upon whose backs it is proposed to place its mighty burdens, it has seemed due and proper that, to the extent of my power, I should add my bit to the information which other Senators are so ably placing before them. For assuredly it is one of the calamities of this situation that of the hundred million of us who are to sign this great promissory note, but a paltry few thousand will be able to read it before signature. And that, Mr. President, is at once my reason and my excuse for again intruding my voice in this discussion, for it is the duty of each of us who are charged with the responsibility of speaking and acting for the people in this matter to give to them in as concrete and understandable a form as we may the actual provisions of this document. The people will judge this matter rightly if they but know and understand its facts.

But unfortunately this treaty, intricate, ponderous, and voluminous as it is, yet is by no means the whole story. Many

documents involved in its making are before neither the Senate nor the people.

Within the last week the Committee on Foreign Relations requested that the proceedings of the peace conference and the documents connected therewith should be furnished for our information. The reply was that all were not here, only those immediately at hand having been brought, and that those here were being sorted and some would be finally sent to us. Why should these documents need sorting? Do they hold secrets it is thought best the American people should not know?

Nor have we yet the treaties with Germany's allies—the former Austro-Hungarian Empire, Bulgaria, and Turkey—all of whom, if we may credit report, are to be dismembered or shorn of territory, or both. The provisions of the treaty before us are intimately and inevitably entwined with those of these other treaties. Can we wisely proceed without those treaties and treat this situation piecemeal?

It was only this morning that the chairman of the Foreign Relations Committee handed me a most important treaty, which has already been completed and agreed upon—the treaty relating to international air navigation—access to which he was only able to get through the British market at 9 pence per copy.

If the negotiators found it necessary, as they did, to consider the whole situation at one time that they might arrive at harmonious arrangements, must not we also to act intelligently and wisely have everything before us?

What is it, sir, about these things that the people can not know? What is there to hide from them? Must we take this thing, as the German people must take it, unsight and unseen? Are we to be no more advantaged than our fallen enemies? We are asking neither for a Saar Basin, a Fiume, nor a Shantung. We have no hope or desire of aggrandizement to be disappointed. We want merely to know what we are promising to do.

Mr. President, a treaty of peace has two great functions: In the first place it ends the war and brings back peace; and in the next place it gives to the victor his spoils which normally take the form of territorial adjustments and monetary or other indemnity, either merely to make good his losses, or in addition

to impose a penalty. If the victor be guided by a wise statesmanship, he so accommodates his spoils as not to sow seeds for another conflict with his erstwhile enemy. The great war now ending was bottomed on Bismarck's violation of this fundamental principle. France overlooked her indemnity, but she never forgot or forgave Alsace-Lorraine. There is, I warn you, Senators, many another Alsace-Lorraine in the treaty laid before us for action.

The first of the named functions of a peace treaty is performed in this case not by an article specifically declaring that the treaty brings peace to the parties belligerent but by two widely separated clauses, one at the very beginning of the document and another at the very end of it, from which you spell out the time and occasion of the termination of this conflict. The initial clause, which follows the recitation of the persons signing, says:

From the coming into force of the present treaty the state of war will terminate. From that moment, and subject to the provisions of this treaty, official relations with Germany, and with any of the German States, will be resumed by the allied and associated powers.

In the last article, the fourth and third clauses preceding the testimonial clause, read as follows:

A first proces verbal of the deposit of ratifications will be drawn up as soon as the treaty has been ratified by Germany, on the one hand, and by three of the principal allied and associated powers, on the other hand.

From the date of this first procès-verbal the treaty will come into force between the high contracting parties who have ratified it. For the determination of all periods of time provided for in the present treaty this date will be the date of the coming into force of the treaty.

Germany and Great Britain have already ratified the treaty. So soon therefore as the treaty has been ratified by any two of the remaining principal allied and associated powers, the remaining powers being the United States, France, Italy, and Japan, and when the proces verbal of such deposit of ratifications has been drawn up, "the state of war will terminate," as a reading of the many treaty clauses, coming into force at that time and making the further conduct of the war impossible, will clearly show.

It results from the foregoing that in order to bring peace between us and Germany it is not necessary that we shall ratify

this treaty. It is true Congress need not accept this treaty termination of our belligerency, and might by proper resolution, either joint, concurrent, or by separate resolution to the same effect by the Senate and House, respectively, continue this war, because to Congress exclusively belongs the authority to create a status of war, and therefore it might continue such a status by a new declaration. But Congress has no desire to do and will not do this thing.

On the other hand, Congress, while it can not negotiate a peace with the enemy, can nevertheless end hostilities with him by declaring as no longer existant the status of war with him, which the Congress created by its own act.

Thus so soon as the first procès-verbal is drawn under this treaty, Congress may with all propriety, and should to insure full legality to the act of the Executive in negotiating this particular treaty provision, pass a resolution—concurrent, because the Executive having already committed himself to the substance thereof, his approval would be superfluous—which shall declare that the status of war created by its resolution of April 6, 1917, no longer exists, and that a status of peace from that moment obtains. Thus we shall put the country immediately upon a complete peace basis and may at once resume all our normal commercial and other relations with Germany, unhampered by any restrictions. So much for that part of the treaty which ends the war.

I pass now to the second branch of the treaty, which comprises its whole volume aside from the brief clauses I have quoted, and which deals with the victor's spoils.

In order that we may better appraise the value of the provisions to which I shall call your attention it seems well that we recall the bearings of the course we laid for ourselves when we entered this war, when we literally pledged the lives of our own sons to the accomplishment of a purpose stated—a pledge redeemed in full necessary measure as the mourning in 50,000 homes bears witness. To refresh our recollection of a few salient facts, I shall, in the first place, read the words of President Wilson when he invited Congress to declare war. Said he,

after adverting to the course of the Imperial German Government in submarine warfare:

I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war.

A little later in the same address he said:

We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship. It was not upon their impulse that their Government acted in entering the war. It was not with their previous knowledge and approval.

Still further on, asserting that Prussian autocracy—

has filled our unsuspecting communities and even our offices of Government with spies and set criminal intrigues everywhere afoot against our national unity of counsel, our peace within and without, our industries, and our commerce—

He said:

We knew that their source lay not in any hostile feeling or purpose of the German people toward us—who were no doubt as ignorant of them as we ourselves were—but only in the selfish designs of a Government that did what it pleased and told its people nothing.

Again, still later:

We are glad, now that we see the facts with no veil of false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included; for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy.

And finally he said:

It will be all the easier for us to conduct ourselves as belligerents in a high spirit of right and fairness, because we act without animus, not in enmity toward a people or with a desire to bring injury or disadvantage upon them, but only in armed opposition to an irresponsible Government which has thrown aside all consideration of humanity and of right and is running amuck. We are, let me say again, the sincere friends of the German people, and shall desire nothing so much as the early reestablishment of intimate relations of mutual advantage between us.

Or, to put it shortly, our purposes as stated by Mr. Wilson were threefold—first, the defeat and elimination of the Imperial German Government and Prussian autocracy; next, the liberation from their yoke of despotism of the German people themselves—for whom we had nothing but sympathy and friendship—to the

end that they might be masters of their own fates and fortunes; and, lastly, the reestablishment, as sincere friends of the German people, "of intimate relations of mutual advantage between them and us."

But we here in Congress were not quite so sure-footed in our estimate of our relations to the German people in case we went to war. It became difficult for us to work out just how we could confine our hostility to the Imperial German Government when the German people and not the German royalty were to shoot down our sons, and while we were bending all our efforts to kill the German people. But we did see this in the situation: Our own citizens of German ancestry were among our best, most stalwart, and freedom-loving, patriotic citizens, whose ancestors in many cases had fled Germany to escape the despotism against which we were about to wage war. We recalled that the Teutonic peoples were in origin and early tradition a free people who knew no masters. And we judged that rid of those rulers who had debauched their intellects for generations this mighty people would reassert their racial characteristics as had their sons who had come to us, and that they would become in turn a great, free people, as they had been a great monarchical nation. And this is my faith to-day, if we but give that great people a fair chance, consistent with the punishment they have earned and must suffer.

But no one here was such an ecstatic as to conceive that, going forward, we should not make war on the German people, or that before the war should end we should not have engendered hostility toward them. Congress, therefore, on April 6 four days after the delivery of the President's address, declared in a joint resolution the existence of a state of war between the United States and the Imperial German Government, solemnly affirmed that the Imperial Government had so "committed repeated acts of war against the Government and people of the United States" that a state of war has been thrust upon them by that Government, and therefore formally pledged the whole military and national resources of the country "to bring the conflict to a successful termination."

These were the aims, the purposes, and the reasons for entry into the conflict as stated in our former record. How mighty was the accord of our whole people therein was shown by their full and quick approval of the measures Congress took to make good the pledge we gave—the passing of the selective service act and of the measures imposing our enormous financial powers and obligations.

These were the ends and the purposes which threw into the conflict with their whole hearts and souls our great, splendid body of loyal citizens of German ancestry. Fired with the spirit of liberty and freedom and weighted with the blessings of free Government, they saw in the war an opportunity to bring to the home folk in the old fatherland the same inalienable rights of life, liberty, and the pursuit of happiness. Their sons rushed to our standards to fight first that we might continue to live free and next that liberty and its blessings might come to their kindred across the sea.

We did have, we had to have, a quarrel with the German people; it was inevitable that we should entertain toward them hostile feelings. But we had and have a sympathy for them as misguided and misdirected, and we did hope that winning the war we should liberate them from an intellectual despotism they seemed not to sense, and that thereafter they would arise a free, great people.

So we entered the war. Eighteen months later Germany, staggering, asked for an armistice to arrange a peace. Before the armistice was granted the Emperor and the Crown Prince fled their dominions, followed by certain of their military chieftains. Next came the abdication of the Emperor and the initiation of proceedings looking to the democratization of Germany.

Thus, *prima facie*, we had achieved the full purpose for which we entered the war; our enemy was defeated, the Imperial Government destroyed, and the German people were liberated, free—again quoting the President—to “choose their way of life and of obedience.”

Following this came the signing of the armistice of November 11, the terms of which wisely and properly put it beyond the power of Germany thereafter effectively to continue this war.

There we, who sought no territory, nor indemnity, nor aggrandized power, should have rested, signed our peace when our associates made peace, and quit the war as we entered it, still free and independent, masters of our own destiny, able to work for the benefit of all mankind, unhampered by entangling alliances or commitments.

We should have left the political adjustments and the indemnities to the powers of Europe who alone were immediately concerned, we at most exercising a restraining hand to see, first, that justice was done to a fallen foe—and this in spite of the fact that he initiated and carried out the most cruel, relentless, inhuman war of modern times—and in the next place to insure that no more dragon's teeth were sown in Europe than the indispensable necessities imperatively required. Such a course would neither have endangered nor sacrificed those threatened peoples to whose assistance we came, for Germany had been disarmed, and our two millions of young men, now for the first time fairly equipped, were still in France at the behest of any military exigency which might arise.

But such was not the course followed, and our representatives sat at the peace table as coequal negotiators.

Twenty-seven powers (besides Germany) have signed this treaty. Five of these—the United States, the British Empire, France, Italy, and Japan—are designated as the principal allied and associated powers. These 5 with the other 22 signing the treaty (besides Germany) are termed the allied and associated powers. Of these 22, 4 only were European powers in existence at the outbreak of the war, namely, Belgium, Greece, Portugal, and Roumania; three others of Europe are created or recognized by the treaty—Poland, Czechoslovakia, and the Serb-Croat-Slovene State, the boundaries of which nor its location the treaty does not disclose. Of the remaining 15 States, 3 are Asiatic—Siam, China—who has the sole distinction of being robbed by her allies—and the Hedjaz—likewise with undefined boundaries and, as to the treaty, unlocated. The 11 remaining States are of Latin-America as follows: Bolivia, Brazil, Cuba, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, and Uruguay. I have mentioned

these 22 States so we may have clearly in mind the fact that all of them combined could not under the most favorable conditions one could hope for, withstand the armies of Germany one day, or enforce against Germany's will the most inoffensive treaty stipulation. In the domain of force, in which Germany has lived and will continue for a time to live, these powers count for naught. The great responsibilities of the treaty, the only power behind the treaty, is that of the five principal allied and associated powers. Nor does the treaty in any of its parts blink this. There is no single important function in the treaty, performable by the victor powers, which is not consigned to the five great powers. There is no single important immediate function consigned to the league of nations which does not run to the council of the league which these five powers control and of which they are the sanctioning force. The small powers are named that may be granted benefits. The load of the world, the keeping of the peace of the world, under this treaty rests on the five powers.

But there is one power we miss in all this, the power which met the brunt of the German shock while the rest of the world got ready; the power that mobilized in the allied cause some 21,000,000 men; that lost—killed in action—2,500,000; that lost in other casualties 3,500,000, of whom 1,500,000 are absolute invalids and badly mutilated; that lost in prisoners 2,000,000, of whom half died in prison; a power whose armies at the beginning of February in 1917 numbered 14,000,000 men under arms; who fought during the war over a front of 3,500 miles, and who had there pitted against her one-third of the whole German Army, two-thirds of the whole Austrian Army, all of the Hungarian Army, and two-thirds of the whole Turkish Army; a power who took as prisoners of war 400,000 Germans, 300,000 Hungarians, 300,000 Turks, and 1,000,000 Austrians. I speak of poor, ever despot-ridden Russia. I have but said China enjoyed a unique position; but I spoke in haste. Russia, who raised three times as many men as we planned to raise as a maximum; Russia, whose losses if imposed on us would have made every home in this land a house of mourning; Russia, whose men in battle front, unarmed and unequipped, stopped the German onrush of cold

steel with bare breasts and clenched fists, so saving us and Europe from slavery; Russia, whose people and rulers stood forefront, our friends, even in the hours of our sore and most threatening distress; this Russia, with this record, is mentioned in this treaty, but only with ominous words that presage her national destruction.

Russia, sir, is a problem; but dismemberment by others is not its solution. And shall I tell you, Mr. President, what the intelligent Russians, those of the great so-called middle classes, are saying? It is this: We must first recover ourselves and wipe out the dishonor of our collapse, the dishonor of forsaking our Allies in the hour of their dire need. And then we must readjust our dominions as we wish them, for Russia can never be bound by the Russia-disposing portions of a treaty to which Russia is not a party. And I ask you, sir, would we?

And this thought brings me to speak again of what I have said heretofore, that this treaty, stripped of its meaningless beatific provisions, provides merely and simply for an alliance between the five great powers in a coalition against the balance of the world. And again I ask, has history ever answered this save in one way—by destroying the coalition and at times all or some of its constituent members?

Think you Germany—smarting and staggering under the terms of this, the hardest treaty of modern times—will, even if we were to set up the league and she should join it, supinely rest content with the dole of grace and sufferance we are vouchsafing her, the crumbs from her victors' table? It is beside the point to say that such is but her just deserts and the full measure thereof. Lacking the wisdom to go forward and inflict a military punishment that would have uprooted their philosophy of force and taught them the lesson of live and let live, we have left them, beaten but proud and arrogant, with their mighty spirit bent for the time but unbroken, with their damning philosophy unchanged, and with a will, fired by hate, to mete out revenge.

That people will no more cease to plot and plan to recover their former high estate than did Satan, plunged into the abysmal depths of Hell. Whether they are in the league if formed or out

of it, Germany* agents, secretly or openly, will be at work with her former allies, and with injured Russia, and with Japan—whose conceptions, ideals, aspirations, and ambitions are of Imperial Germany, not democratic America, Britain, and France. As Russia goes, so will go the whole Slavic and affiliated peoples. And if Germany succeed in this and be able to unite these powers to herself, to turn the teeming millions of Russia to swell her own ranks, and to augment this by the great yellow races of the Pacific, who, through Russia, would have unimpeded access to the battle front, western Europe, at least, must perish. Think you, Germany, revengeful, will turn aside from so imposing and grateful a vision in order to grace for generations a conqueror's triumph?

Why have we invited this vision? Was there none at all of that much-vaunted forward-looking at the peace table? The wise, the obviously wise course required not months of inventing and piling up penalties, but a few hours devoted to a plan that should rid Germany of the Hohenzollerns, that should provide for her democratization, that should impose a lesson-bearing indemnity, and that should then bind with rivets of steel, because rivets of friendship, the German people to western Europe, to France, who can not hope to keep Germany under her feet. Napoleon tried to conquer a people and failed—this should be France's lesson. The only possible wise course for France, her only permanent safety, is closest friendship with Germany. The restoration of Alsace-Lorraine, the payment of a suitable indemnity, and then forgetfulness as the past, hard as that might prove—this should have sufficed. It may seem I am unsympathetic, unmindful, and forgetful of wrongs and injuries, unmoved by suffering and grief. I am none of these. I am trying to point out how France herself might escape further and more overwhelming wrong, suffering, and grief. For as certain as the sun rises, if we follow the road in which this treaty sets our feet, France and ourselves shall meet those on the way.

The treaty of peace is divided into 15 parts. All of them deal with territorial adjustments, penalties, and indemnities of the war except Part I—containing the covenant of the league of nations—and Part XIII, labor—providing for an international

labor organization. The other parts are, in their order: Part II, boundaries of Germany; Part III, political clauses for Europe; Part IV, German rights and interests outside Germany; Part V, military, naval, and air clauses; Part VI, prisoners of war and graves; Part VII, penalties; Part VIII, reparation; Part IX, financial clauses; Part X, economic clauses; Part XI, aerial navigation; Part XII, ports, waterways, and railways; Part XIV, guaranties; and Part XV, miscellaneous provisions.

It is of course impossible to give even a detailed summary of a volume of some eighty thousand odd words, doubtless the longest treaty in history. But I shall also aim to give a picture of certain general features to which I wish to invite special attention.

By this treaty Germany cedes outright portions of her European territory to Belgium; to France, a recession of Alsace-Lorraine; to Poland; to the Czecho-Slovak State; and to the principal allied and associated powers, including the United States, who get unconditionally Memel—a small strip of territory in the extreme northeastern tip of Germany—and the free city of Danzig with its adjacent territory, to be placed under the protection of the league of nations. Germany also cedes, contingent upon the wishes of the people in the area affected as expressed by a vote, further portions of her territory to Belgium, to Poland, and to the allied and associated powers, who thus take Schleswig with an obligation at some time to hand it over to Denmark if the people so vote. The Czecho-Slovak State secures a further bit of territory if a determination of the Polish frontier should isolate it from Germany; and the league of nations takes as trustee the Saar Basin, which shall be governed, however, by a commission appointed, not by the league but by the council of the league, pending the plebiscite of 15 years hence. Thus the United States becomes the owner in fee of a tenant in common of European territory and a trustee as to other territory.

For this territory so ceded nobody pays Germany anything, nor is any credit allowed Germany for it on her reparation account, to which I shall shortly refer. However, all cessionary powers, except France and the league of nations as to the

Saar Basin, assume that portion of the imperial and State debt attaching to the ceded area—fixed, stated roughly, upon the basis of the prewar revenue of the area to the prewar total imperial and State revenue, respectively.

The imperial and State property in all these areas, including the private property of the former German Emperor and other royal personages, is turned over to the cessionary of the area, who must pay the value of the same to reparation commission, which places the same to the credit of Germany on the reparation account. This does not apply to France, who takes such property in Alsace-Lorraine without payment, nor to Belgium, nor to the Saar Basin.

Germany cedes all her overseas possessions in fee simple to the allied and associated powers, who do not assume the debts and who take all the property, without any compensation whatever running to Germany, either for the territory ceded or for the actual property taken. Thus the United States becomes a tenant in common with the British Empire, France, Italy, and Japan, of Germany's African possessions, comprising Togo, Kamerun, German Southwest Africa, and German East Africa, with an area of nearly 1,000,000 square miles—almost one-third the size of the United States—and a native population of about eleven and a half millions; of her Pacific possessions, including Kaiser Wilhelm's Land, Bismarck's Archipelago, Carolina Island, Palau or Pelew Islands, Marianne Islands, Solomon Islands, and Marshall Islands. It may be noted in passing that certain of these island possessions form a barrier ring to access to the Philippines, and their possession by any other power other than ourselves is big with potential troubles for us.

Germany cedes also, without compensation of any sort or description, her extraterritorial and analogous rights in Siam, Morocco, Egypt, and Samoa, and recognizes the French protectorate in Morocco and the British protectorate in Egypt. The imperial and State property in these areas go to the cessionaries without compensation. The same is true of such property located in and ceded to China. Germany's rights in Shantung

and German property also are ceded to Japan "free and clear of all charges and encumbrances."

Thus territorially Germany has been closed out in all the world without a penny's compensation. Moreover, she loses the efforts of a generation to provide an outlet for her rapidly increasing surplus population, which now must and will find expanding room elsewhere. To this situation is added a restriction of Germany's European area, which would have taken care of a part of this expansion.

The indemnities provided by the treaty may be classed roughly into two divisions: (1) Restitution in cash of cash taken away, seized, or sequestered, and also restitution of animals, objects of every nature, and securities taken away, seized, or sequestered in the cases in which it proves possible to identify them in territory belonging to Germany or to her allies; and (2) reparation for all the damage done to the civilian population of the allied and associated powers and to their property during the period of the belligerency of each as an allied or associated power against Germany by her aggression by land, by sea, and from the air, and this includes damages inflicted not only by Germany but by Germany's allies, and also by the allied and associated powers themselves upon their own nationals.

There can, of course, be no question as to the propriety of compelling Germany to disgorge the loot which she seized and which she still has, nor in requiring her to replace that which she seized and has since consumed or otherwise used or destroyed. No matter what this may mean to Germany, no matter how it may leave her, this must be done. The thief must not be heard to plead necessity for the article he stole nor inconvenience from restoring it. This is the most elemental justice and the wholesomest morality. Thus far we move on solid ground.

But when we get away from and go beyond this, it behooves us to proceed with care, lest we go beyond the bounds of wise statesmanship and, in the homely adage, kill the goose that we expect to lay the golden eggs.

But the treaty edges in on the perfectly proper theory of restitution by a theory designated as replacement, which places Germany under rather startling obligations. She is first made

to "recognize (s) the right of the allied and associated powers to the replacement, ton for ton (gross tonnage) and class for class, of all merchant ships and fishing boats lost or damaged owing to the war." She then acknowledges "that the tonnage of German shipping at present in existence is much less than that lost by the allied and associated powers in consequence of the German aggression," and agrees that "the right thus recognized will be enforced on German ships and boats under the following conditions": Germany cedes to the allied and associated powers, on behalf of herself and of all other parties interested, all German merchant ships which are of 1,600 tons gross and upward. Included in these will doubtless be the 32 auxiliary cruisers and fleet auxiliary—named in another part of the treaty—which are to be disarmed and treated as merchant ships. In addition to the foregoing, Germany further cedes one-half, reckoned in tonnage, of the ships which are between 1,000 tons and 1,600 tons gross; one-quarter, reckoned in tonnage, of the steam trawlers; and one-quarter, reckoned in tonnage, of the other fishing boats. All the foregoing must be delivered to the reparation commission within two months of the coming into force of the present treaty.

Thus, we take practically all of Germany's means of conducting commerce through her own vessels with overseas countries, of whom we are the farthest away and of which we shall stand most in need, for it is an open secret that before the war the German shipping was the peer at least of any shipping in the world.

But the treaty goes further than this and compels Germany to lay down in her own shipyards a maximum of 200,000 tons of shipping for each of the next five years—approximately half, I am told, of her shipbuilding capacity—and our representatives, the reparation commission, determine the specifications, conditions of building, price to be paid—by giving credit against the reparation bill the commission will make up—and all other questions relating to the accounting, building, and delivery of the ships.

Thus, for a number of years at least, we have pretty effectively barred German vessels from the seas.

But this is only half the story. She is also in good part stripped of her inland shipping, for by this treaty she very properly undertakes to restore in kind and in normal condition of upkeep to the allied and associated powers any boats and other movable appliances belonging to inland navigation which since August 1, 1914, have by any means whatever come into her possession or into the possession of her nationals, and which can be identified. This would, of course, cover boats purchased by Germans for full value, transactions that might have been carried out through neutrals.

Nor is this all. With a view to making good the loss of the allied and associated powers in inland-navigation tonnage which can not be made good by the restitution already recited, Germany agrees to cede to the reparation commission a portion of her river fleet up to the amount of the loss mentioned to a maximum extent of 20 per cent of the river fleet as it existed November 11, 1918.

As to all the foregoing ocean-going and inland-navigation vessels, Germany agrees to take any measures indicated to her by the reparation commission for obtaining the full title to the property in all ships which have during the war been transferred, or are in process of transfer, to neutral flags without the consent of the allied and associated Governments.

Nor is this all. She waives all claims against the allied or associated powers for the detention, employment, loss, or damage of any German ships, except as called for by the armistice agreement; all claims to vessels or cargoes sunk by naval action, and subsequently salvaged, in which the nationals of the allied and associated powers or the powers themselves may be interested either as owners, charterers, insurers, or otherwise, notwithstanding any decree of condemnation which may have been made by a prize court of Germany or her allies.

But I am compelled to note still further shipping deliveries. The treaty obliges Germany to cede to France tugs and vessels from among those remaining registered in German Rhine ports—after the above deductions—to an amount fixed not by the treaty even in maximum but by an arbitrator appointed by the United States. The tugs and vessels so taken must have with

them their fittings and gear, shall be in a good state of repair to carry on traffic, and shall be selected from among those most recently built.

Similarly and under like conditions, tugs and vessels to an unnamed amount must be transferred to the allied and associated powers from those used on the river systems of the Elbe, the Oder, the Niemen, and the Danube; and, in addition, Germany must cede material of all kinds necessary for the utilization of these river systems by the allied and associated powers concerned.

France also gets all installations, berthing and anchorage accommodations, platforms, docks, warehouses, plants, and so forth, which German subjects or German companies owned on August 1, 1914, in Rotterdam, and the shares or interests possessed by such nationals or companies therein.

Thus seemingly under a theory of replacement the treaty likewise strips Germany of much of her inland shipping.

The effect of all this upon Germany's future and upon her ability to meet the other requirements of this treaty are well worthy of deep and mature reflection.

But drastic and possibly ruinous as all this is, it yet is but the beginning.

The next inroad on the doctrine of restitution is made under the name of physical restoration. Germany undertakes to devote her economic resources directly to the physical restoration of the invaded areas of the allied and associated powers to the extent that these powers may determine. Under this provision the allied and associated governments may list the animals, machinery, equipment, tools, and like articles of a commercial character, which have been seized, consumed, or destroyed by Germany or destroyed in direct consequence of military operations—this would include military operations by the allied and associated powers themselves—which such powers urgently and immediately need and which they desire to have replaced by animals and articles of the same nature, in being in Germany at the coming into force of this treaty. As an immediate advance of animals on this account, Germany must within three months deliver to France 30,500

horses, 92,000 cattle, 101,000 sheep, and 10,000 goats; and to Belgium 10,200 horses, 92,000 cattle, 20,200 sheep, and 15,000 sows. As to such animals, machinery, equipment, tools, and like articles of a commercial character, the reparation commission in deciding the amount which shall ultimately be given by Germany must take into consideration German's needs, having in mind the maintenance of German's social and economic life and the general interest of the allied and associated powers that the industrial life of Germany shall not be so impaired as adversely to affect Germany's ability to perform the other acts of reparation called for. It is, however, provided that of machinery, tools, equipment, and like commercial articles a maximum of 30 per cent may be taken of the quantity actually in use in any one establishment.

Similar lists, subject to the same regulations may be made by the allied and associated powers of reconstruction materials—stones, bricks, refractory bricks, tiles, wood, window glass, steel, lime, cement, and so forth—machinery, heating apparatus, and like commercial articles which the powers may desire to have produced in Germany.

In addition to the foregoing and of like character is the obligation of Germany to furnish coal to France at France's option, up to a maximum of 20,000,000 tons for each of the first five years and 8,000,000 tons for any one of the succeeding five years; to Belgium, at her option, 8,000,000 tons per year for 10 years; to Italy, at her option, amounts beginning at 4,500,000 tons for the first year and increasing to 8,500,000 tons for the last six years; and to Luxembourg, her annual prewar supply, if the reparation commission so directs; a possible total of 32,000,000 to 35,000,000 tons for the first five years and of 25,000,000 tons for the next five years. At the option of the vendees, metallurgical coke instead of coal must be delivered at fixed ratios. In this category also is to be placed the German obligation to deliver to France for the next three successive years some 115,000 tons of coal distillation products, and to the reparation commission 50 per cent of the total dye stuffs and chemical drugs in Germany or under German control at the date of the coming into force of the present treaty.

In considering the question of supplying coal we must not lose sight of the cession of the Saar Basin coal mines to France.

But we come now to an item which is not to be accounted for as restitution, as replacement, or physical restoration. I refer to the cession by Germany on her own behalf and on behalf of her nationals of her submarine cables. By this act the treaty takes from Germany all direct telegraph relations with overseas countries.

As a final entry under this general head I wish to observe that, speaking generally, Germany also cedes to the States which secure portions of her territory all railways situated therein, and I find in the treaty no positive provision for the payment therefor by anyone. This cession carries with it the works and installations; the rolling stock, complete where a ceded road has its own stock, in a normal state of upkeep, and where a ceded road has no rolling stock of its own, then rolling stock from German lines with which the ceded portion forms a system; and stocks of stores, fittings, and plants. And while on this point I may add that Germany must build for Czechoslovakia a designated railroad if that State so elects, at the latter's cost, and must build for Belgium the German portion of a deep-draft Rhine-Meuse navigable waterway at her own cost, seemingly, if Belgium decides the canal should be built.

Now, as to the bill against Germany. Germany is made to admit as a basis of her liability, the responsibility for herself, and for all her allies, for causing all the loss and damage to which the allied and associated Governments and their nationals have been subjected as a consequence of the war.

The allied and associated powers, recognizing the burden thus stated is too heavy for German resources to bear "after taking into account permanent diminution of such resources which will result from other provisions of the present treaty," require, and she so undertakes, that Germany make compensation for all damage done to the civilian population of the allied and associated powers and to their property during the

period of belligerency of each as an allied or associated power, by land, by sea, and by air.

The reparation commission is to find one bill against Germany for this damage, the elements of which are of such importance that I feel I ought to cover them in some detail. They are as follows: 1. Damage to injured persons and to surviving dependents by personal injury to or death of civilians caused by acts of war, including all attacks on land, on sea, or in the air, and all the direct consequences thereof, and of all operations of war by the two groups of belligerents wherever arising. 2. Damage to civilian persons, caused by Germany or her allies, by acts of cruelty, violence, or maltreatment—including injuries to life or health as a consequence of imprisonment, deportation, internment, or evacuation, of exposure at sea or of being forced to labor—wherever arising, and to the surviving dependents of such victims. 3. Damage to civilian persons injured either in German territory or invaded territory, caused by Germany or her allies by acts injurious to health or capacity to work or to honor, as well as to their surviving dependents. 4. Damage caused by any kind of maltreatment of prisoners of war. 5. As damages, the pensions and compensations in the nature of pensions to naval and military—including members of the air force—victims, whether mutilated, wounded, sick or invalided, and to the dependents of such victims, sums so due to be capitalized on the basis of the French scale in force on the coming into effect of the present treaty. 6. The cost of assistance extended to prisoners of war and their families. 7. Allowances by the Governments of the Allies and associated powers to the families and dependents of mobilized persons or persons serving in the forces, the sum to be paid to be capitalized on the basis of the French scale in force during the year the payment was made. 8. Damage to civilians by being forced by Germany or her allies to work without just remuneration. 9. Damage to all property, wherever situated belonging to any of the allied or associated States or their nationals, with the exception of naval or military works or materials, which has been carried off, seized, injured, or destroyed by the acts of Germany or her

allies on land, on sea, or from the air, or damages directly in consequence of hostilities or of any operations of war. 10. Damages in the form of levies, fines, and other similar exactions imposed by Germany or her allies upon the civil population.

It is admitted that certain of these damage rules violate the principles of international law as hitherto recognized and observed by the family of nations. The reason why we as well as the enemy should discard such benign principles as have been worked out by the nations in the last centuries is not clear.

The thought has been entertained that the treaty fixes, at least tentatively, the German indemnity under these rules at 120,000,000,000 gold marks, about \$24,000,000,000, but such an idea is not justified.

In the first place, Germany agrees, in addition to the sum named, to pay Belgium's debt to the Allies and associated powers, whatever the debt may be. This payment is to be considered restoration.

In the next place, the treaty stipulates that the \$24,000,000,000 worth of gold bonds which Germany undertakes to issue is to cover "whatever part of the full amount of the approved claims is not paid in gold, or in ships, securities, and commodities, or otherwise." Thus the total values of all the materials to be turned over as heretofore mentioned seem quite clearly to be in addition to this 24,000,000,000 of gold bonds.

Moreover, it is provided that "further issues [of bonds] by way of acknowledgment and security may be required as the [reparation] commission subsequently determined from time to time."

So that the bill against Germany will clearly not stop at \$24,000,000,000 and may run to any amount.

I may here also correct another impression that has gone out, namely, that somehow the reparation commission can reduce the amounts to be paid by Germany, if they decide such a course is wise and just. Now, the reparation commission is made up of representatives of the United States, Great Britain, France, and Italy, who always sit at its sessions, and the representatives of one other power, either Belgium, Japan, or the

Serb-Croat-Slovene State. While each other allied and associated power may have a representative present when its interests are involved, such representative may not vote. This commission decides the amount of the claims against Germany by a majority vote—that is to say, the representatives of Great Britain, France, and Italy, or Belgium, or Japan, or the Serb-Croat-Slovene State, any three of them—may fix the amount of this indemnity. But a decision to cancel the whole or any part of the German debt or obligation requires a unanimous vote of all of them sitting, and before this decision can become operative the commission must have the specific authority of the several Governments represented on the commission. In other words, unless the four great powers and Belgium or Japan or the Serb-Croat-Slovene State unanimously so agree, the claims once fixed by a majority of the commission can not be abated one penny, except by the consent of all the powers represented on the commission. Moreover, the commission is closely limited even as to the postponement of total or partial reparation payments, for all such postponements beyond 1930 of payments falling due between May 1, 1921, and the end of 1926, and of any postponement, for more than three years, of any installment falling due after 1926 requires a unanimous vote.

Assuming, for the sake of the argument, that some one of the powers represented on the commission is determined to exact the pound of flesh, there is no way under this treaty to prevent it, short of the application of coercive measures. The reparation commission is not and is not intended to be a beneficent philanthropic or eleemosynary institution; it is and must be the enforcer of stern retribution, imposing on the vanquished the utmost burden his back will bear.

But these measures are by no means the end of the story. Reference has already been made to the payment by Germany in securities of what I shall designate her nonbond debt. On this point I quote from the treaty:

Germany will within six months from the coming into force of the present treaty deliver to each allied and associated power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights, or interests situated in the territory of that allied or associated power, including any shares, stock, debentures,

debenture stock, or other obligations of any company incorporated in accordance with the laws of that power.

That is to say, German investments in allied or associated countries and held in Germany are to be wholly closed out.

Moreover, all other property held by Germans or German companies in allied or associated countries, or territories, colonies, possessions, and protectorates, may be retained or liquidated by such powers. This completes the closing out of German interests in allied and associated countries. Nor is this all, for this last provision applies to territories ceded to the allied and associated powers by this treaty, so that Poland, Czecho-Slovakia, the free city of Danzig, the principal allied and associated powers in Memel, Denmark, Belgium, and France may sell out property and interest of every German national or company within their newly acquired territory.

Furthermore, the reparation commission may require, by a majority vote, the German Government to acquire and turn over to it the rights and interests of German nationals in any public utility or concession operating in Russia, China, Turkey, Austria, Hungary, and Bulgaria, or in the possessions or dependencies of these States, or in any territory formerly belonging to Germany or her allies, or to be administered by a mandatory under this treaty.

Nor is this the end. Germany must fully compensate, and most properly so, the nationals of all allied and associated powers for the losses they have suffered with reference to property located in German territory, and this includes all property acquired or in course of acquisition by the German alien property custodian, this compensation to be reduced by the actual value of any property restored to the owners.

For all property rights or interests taken by the allied and associated powers from German nationals, Germany undertakes to compensate them.

Now the disposition of the proceeds of all this German property is obviously of the utmost importance. The treaty proposes two methods, one of which is so fantastic that it is difficult to believe our wildest dreamer would, on study, care to adopt it. I shall give you the effect of a few of its salient

features: If we should proceed under it, the United States would guarantee the payment of all specified debts owed by our citizens—who were solvent at the beginning of the war—to Germans. We would establish a clearing office which would take over all such debts due to our citizens from Germans, and we would undertake to act as a collection agent for all such debts due from our citizens to Germans, making good any we did not collect. From the coming into force of this treaty all payments or acceptance of payments and all communications regarding the settlement of specified obligations would be absolutely prohibited between our citizens and Germans, under penalties imposed for trading with the enemy, except correspondence through our clearing office, and each Government would promise to do its utmost to ferret out and report violations of the prohibitions to the others.

If an American citizen made a claim which was not allowed, he would be fined. If he contested a claim which was allowed, he would be fined. Where he and the German could not agree, the two clearing offices would settle it if they could; if they could not agree, it would go to the mixed arbitral tribunal. If, finally, a debt were held either by the clearing offices or the mixed tribunal not to be within the specified classes, permission is graciously given to the parties to go to court.

When all such debts are liquidated any credit balance in favor of Germany goes to the reparation commission to be credited on Germany's account. That is to say, the excess proceeds of German property in the United States would go to compensate Italian or Greek or some other power's losses.

If this clearing-office system be not adopted, then Germany pays directly to the allied and associated Governments, or their interested nationals, the cash assets and the proceeds of the property, rights, and interests in her hands belonging to them; but each of the allied and associated powers shall dispose of the proceeds of the property rights and interests and of the cash assets of German nationals in accordance with **its** laws and regulations. They may apply them if they wish to the payment of claims and debts held by their nationals against German nationals, including claims against the German

Government for acts committed by it after July 31, 1914, and before the particular power concerned entered the war against Germany. Or, and this is most remarkable, the power may use this money derived from the proceeds of property owned by German nationals to pay debts due the power's nationals from nationals of German allies. That is, we may use German money to pay a Turk's debt.

And in all of this it is well to remember that by the treaty the property rights and interests of German nationals will continue to be subject to exceptional war measures that have been or will be taken against them.

It had not been and is not my purpose to attempt a discussion of the number of provisions of this instrument which run counter to our constitutional guaranties, but I can not forbear the observation that no one will, I apprehend, be so hardy as to contend that, peace being established, we shall continue to have power to take private property without compensation.

Under this plan also the excess of German property over American debts will go to the reparation commission, if we retain the excess. The treaty is not clear as to any other disposition of the surplus.

Now, for all this German property so disposed of, and for which Germany assumes liability to her own nationals, no credit is given on the reparation account, save as to that part which may be ultimately turned over to the reparation commission.

One point more and I shall be done with this part of the treaty. It is stipulated that all investments, wheresoever affected with the cash assets of nationals of the high contracting parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons, or of any authority whatsoever, shall be annulled. That is to say, either the treaty annuls or we obligate ourselves to annul all investments by our Alien Property Custodian of enemy funds. The disposition of such funds is not clear.

Thus we close out German interests in all allied and associated countries.

But we also take other commercial measures no less far-reaching. The treaty terminates all multilateral treaties to which Germany is a part except those specifically named in the instrument, and all bilateral treaties and conventions between her and other powers save only those which the other powers notify their intention to revive. Thus another presumed tenet of international law passes out with this treaty.

Moreover, under this treaty the allied and associated powers acquire all the treaty and conventional rights and advantages enjoyed by Austria, Hungary, Bulgaria, or Turkey, and such rights and advantages granted to and enjoyed by nonbelligerent States or their nationals since August 1, 1914, so long as such treaties, conventions, or agreements remain in force. Thus no power having with Germany a treaty which gave to Germany a favored position at the expense of the power will revive such a treaty, and every power having a treaty which gives her an advantage over Germany will revive that treaty. Furthermore, if Germany shall undertake to make with any foreign country any reciprocity treaty in regard to the importation, exportation, or transit of any goods, then all favors, immunities, and privileges granted by it shall simultaneously and unconditionally and without request or compensation be extended to all the allied and associated States. The treaty thus effectually prevents Germany from fostering her commerce by special trade agreements with other countries.

The tariff and customs provisions are equally drastic. Notwithstanding the increased costs of production throughout the world, Germany may not, for the first six months after the coming into force of this treaty, impose higher tariffs than the most favorable duties applied to imports into Germany on July 31, 1914; and for a period of 30 months thereafter the same rule shall apply to all imports covered by a designated schedule which enjoyed rates conventionalized by treaties, to which imports are added other named articles.

Furthermore, as to all duties, charges, prohibitions, and restrictions on both exports and imports, the allied and associated powers enjoy favored-nation treatment. I shall make no at-

tempt even to list the exceptional tariff privileges granted to France, to Poland, to Luxemburg, to Morocco, and to Egypt.

The nationals of allied and associated powers resident in Germany have as to all measures relating to occupation, professions, trade, and industry most-favored-nation treatment; and as to taxes, charges, and imports, direct or indirect, touching the property rights or interests of nationals or companies of such powers or restrictions, the treatment must be that accorded to German nationals. In all the foregoing I do not recall one reciprocal favor granted to Germany or her nationals.

The general principle of favored-nation treatment, and in some cases national treatment, is granted to the allied and associated countries and their nationals in all matters referring to transit, which Germany must expedite over and through German territory, and as to all charges connected therewith, all without any reciprocal undertaking in favor of Germany. All regulations governing such traffic must be equal and nondiscriminating as against the allied or associated powers or their nationals. Moreover, all inland traffic, our "coastwise" trade, is open to the vessels of the allied and associated powers on the same terms as German vessels, while Germany may not engage without permission in the like traffic of any other power.

Existing free zones in ports shall be maintained, and, in addition, Germany shall lease to Czechoslovakia areas in Hamburg and Stettin, which shall be placed under the régime of free zones.

Certain specified areas of the great German river systems of the Elbe, the Oder, the Niemen, and additional parts of the Danube, and all navigable parts of these river systems, are internationalized and placed under the administration of international commissions. The internationalization of the Rhine is extended. On these the traffic is open to the vessels of all nations on terms of perfect equality. Special concessions are given to France and Belgium on the Rhine, which need not be further noted.

Finally, Germany undertakes so to adapt her railway rolling stock that it may accommodate the inclusion in German trains

of the rolling stock of the allied and associated powers, and that the trains of the latter may incorporate German rolling stock. In addition to this, regulations are laid down as to rates and traffic on through trains, which Germany undertakes to accept and operate.

These are broad statements, covering an almost infinity of details on these various subjects. For no one of these various trade concessions and agreements is Germany given any credit or compensation nor any direct or conspicuous advantage named in the treaty.

In addition to all this, she waives all claims arising out of the internment or repatriation of German nationals and all claims arising out of the capture and condemnation of German ships or the liquidation of German property in China and Siam. Germany waives to all of the allied and associated powers and their nationals—as already noted—all claims of any description in respect to the detention, employment (except under the armistice terms), loss or damage of any German ships or boats, and all claims to vessels or cargoes sunk by or in consequence of naval action and subsequently salvaged, in which any of the allied or associated Governments or their nationals may have any interest either as owner, charterer, insurer, or otherwise, notwithstanding any decree or condemnation by a German prize court. Finally, Germany undertakes not to put forward, directly or indirectly, against any allied or associated power signatory of the present treaty, including those which without having declared war have broken off diplomatic relations with the German Empire, any pecuniary claim based on events which occurred at any time before the coming into force of the present treaty, such claims by this provision to be finally and completely barred.

And as a capstone to this whole remarkable edifice let me refer to that provision by which Germany, on the one hand, accepts and agrees to be bound by all decrees and orders concerning German ships and goods made by any prize court of the allied and associated powers and agrees to put forward no claim arising out of such orders and decrees, and on the other

hand acknowledges the right of the allied and associated powers to challenge all German prize-court decisions and orders.

As to that part of the treaty which deals with labor, I shall now merely say: Either it will never be enforced as drawn, and perhaps was never intended to be enforced as drawn, but to be merely a sop thrown to labor, or if enforced as written and in the spirit its provisions seem to carry it will wreck the world. It compels the class antagonism between capital and labor which wisdom requires that we lessen, not increase, if we are to remain a free people; and makes possible an ultimate interference of foreign nations in our labor disputes at the instance of residents of our own country.

I regret, sir, that this has been a long and tedious process, but its importance could be satisfied in no other way. It has shown us the treaty takes Germany's territory, European and foreign, without compensation; that it takes from her practically all of her ocean shipping and a large portion of her inland vessels; that it deprives her of all special benefits of treaties and conventions; that it takes her cables; that it compels her to supply large quantities of raw materials; that it internationalizes her great river system and throws them open to traffic of all nations on a national basis as if they were the high seas; that it opens her coastwise shipping to all nations; that it compels her to grant exceptional import and export privileges and to accept important restrictions; that it lays down far-reaching principles governing her internal commerce and transportation; that it closes out German interests in practically the whole civilized world—outside the territories of her late allies—including those areas which have been taken from her and given to others; that it closes out the interests of that same world in Germany. It has shown that having done all this it assesses against her provisionally, with a stipulation permitting an increase, a debt of 120,000,000,000 gold marks, which is in addition to the property restored in kind, and to the value of the boats, gold, and securities delivered; that it makes her responsible for these damages inflicted not only by herself but by her allies, and even by the allied and associated powers themselves,

with a list of items which includes some admittedly contrary to the rules of international law hitherto existing and that finally and in addition she is compelled to answer to her own nationals for the value of the property taken by the allied and associated powers.

It remains for me to add that the United States is bound up in every one of the obligations and duties incident to the enforcement of these terms, with the great responsibilities attached thereto.

We are participants, either as one of the principal allied and associated powers, or as a member of the council of the league of nations, in the Belgian, Saar Basin, Czecho-Slovak State, Polish, free city of Danzig, and Schleswig boundary commissions. We are in like manner participants in the Saar Basin governing commission, with all the inevitable difficulties and dangers attached thereto. We participate in plebiscite commissions of Poland, Schleswig, and East Prussia, and the interallied military, naval, and aeronautical commissions of control charged with enforcing the disarmament provisions of this treaty. In addition we have our own prisoners and graves commissions, our own clearing offices if we adopt that method of adjusting the enumerated debts. Finally, we are one of the four powers whose representatives are to sit as a reparation commission to assess damages against Germany, to appraise credits, to judge of her economic requirements as affecting her ability to furnish certain raw materials, to pass on her tax system, to postpone payment on her debts, to prescribe the conditions of her bonds, to recommend abatement of her debt, to appraise the value of public property in ceded territories, and a great bulk of other duties that need not be here referred to, all of which may make or break the peace of Europe, with an obligation on our part that having so participated in the breaking we shall once more contribute our millions of men and our billions of dollars to the readjustments.

In addition to this, the United States is to appoint arbitrators to determine the amount of river craft that shall go to France on the Rhine and to the allied and associated powers—includ-

ing ourselves—on the Elbe, the Oder, the Niemen, and the Danube, and to determine the conditions under which the international convention relative to the St. Gothard Railway may be denounced.

Mr. President, the more I consider this treaty the more I am convinced that the only safe way for us to deal with it is to decline to be a party to it at all. I think we should renounce in favor of Germany any and all claims for indemnity because of the war and see that she gets credit for what we renounce, as indeed she should for the value of all she gives up as against a fixed and ample indemnity. I agree with the President when he says the indemnity should have been a fixed amount. We ought to renounce all participation or membership in commissions, committees, boards, or otherwise provided for in the treaty in aid of its execution to which by its terms we are parties. We ought not to accept cessions of German territory. We ought to declare a general policy to regard with concern any threat of disturbance of general world peace, but at the same time we should reserve complete liberty of action either independently or in conjunction with other powers in taking such steps as we determine wise for preserving the peace. We ought, then, to carry out the spirit of the act of 1916, which authorized the President to convene the nations of the world together to establish a code of international law, reduce armaments, to establish an international tribunal and go as far as possible in the direction of securing peace through justice, through a league to which all the world are parties in its formation. This would be a fitting, generous, and dignified exit from a situation in which primarily we had no direct concern.

It is indeed a hard and cruel peace that this treaty stipulates, and I have no objections to its being so, but see no reason why we, who do not partake in its spoils, should become parties to its harshness and cruelty. I see no reason why we should be parties to imposing upon Germany a treaty whose terms, our negotiators say, she will not be able to meet; a treaty that robs our ancient friend, China, in a way disapproved by our negotiators; a treaty that lays the foundation for centuries of blood-

letting, into which we should not be drawn; a treaty that, contrary to our own judgment, fails to fix the amount of indemnity to be paid, leaving that vast question to the whim of a majority of a commission on reparations; a treaty predicated upon the assertion that a stricken and helpless world requires our counsel and support but leaves to the beneficiaries the decision as to the measure and character of the benefactions they are to receive; a treaty that with ominous words presages our involvement in the eruptions of suppressed volcanic world conditions; a treaty that would require us to underwrite all the regional understandings between nations recognized by the league, most of which are as yet secret and undisclosed, and when disclosed might drive us to acts of injustice similar to that in which the President felt himself compelled to acquiesce in the case of Shantung.

The mind stands appalled and refuses to grasp the infinite possibilities which arise from the ramifications of the obligations we are asked to assume. Looking at the treaty as a whole, is it to be wondered at that we are asked to guarantee by our arms and our resources the territorial status which it creates?

Sir, I have all but finished. I have not sought to propound or establish any thesis beyond this: The treaty as it stands can not be enforced. This is admitted by its proponents. The treaty as it stands is but a harbinger of other and greater wars. This being true, the question must come, Why was this treaty so drawn and the vanquished compelled to sign it? It may be when we get all the documents this will appear. And yet in spite of all these great duties and obligations we assume for the future, in spite of our great contribution in men and resources to the successful fruition of the great joint enterprise we entered, it seems to be proposed that we are to waive all participation in the benefits of this treaty, and that we are to add further to the general burdens of the people by ourselves compensating our citizens who have suffered losses in this war.

The weight of the task resting upon us is not light, but the people demand that we fully perform it, in accordance with our sworn duty. We can in this matter take the ipse dixit of no man.



I have sought in my remarks to put before the people as tersely as I could the salient features of this treaty so that, knowing them, their counsel might assist us in our work. For one of the great defects thus far incident to the treaty is that too few minds have functioned on its provisions, and perusing it one finds it impossible to believe that any responsible mind had sought to coordinate its provisions and trace out their ultimate logical conclusions.

Nothing in all our history, sir, has called for a clearer perception of present and future, a keener or juster understanding of our free institutions, a clearer vision of the mighty mission of our great Nation in the world, or the dedication of a purer and loftier patriotism than the consideration of this treaty.

Unless, sir, we shall have the guidance of the infinite wisdom we shall fail in our duty, and, wrecking our beloved country, earn the odium of its treasonable betrayal. [Applause in the galleries.]



LIBRARY OF CONGRESS



0 020 953 405 8